

TERMINATION OF RESTRICTIVE COVENANT
FOR ZONING CASE: C14-86-015(RCT)

OWNER: Westminster Manor, a Texas Non-Profit Corporation

OWNER ADDRESS: 4100 Jackson Avenue, Austin, Texas 78731

CITY: The City of Austin, a home-rule city, municipal corporation and political subdivision of the State of Texas, in Travis County, Texas.

CITY COUNCIL: The City Council of the City of Austin.

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

WHEREAS, CONGREGATION AGUDAS ACHIM, entered into that certain Restrictive Covenant, consisting of approximately 0.1999 acre of land ("Original Property"), dated as of April 2, 1986, and recorded in the Real Property Records of Travis County, Texas, on May 28, 1986, in Volume 9712, Page 771 (the "Restrictive Covenant"), as part of City of Austin Zoning Case No. C14-86-015; and,

WHEREAS, the Restrictive Covenant encumbers real property more particularly described in **Exhibit "A"**, incorporated into this Termination of Restrictive Covenant; and,

WHEREAS, the Restrictive Covenant provides that the covenant can be modified, amended, or terminated by joint action of both a majority of the members of the City Council and the Owner of the Property at the time of such modification, amendment or termination; and,

WHEREAS, Westminster Manor, formerly known as Westminster Health Facilities Corporation, a Texas Non-Profit Corporation (the "Owner") of the Property, now desires to terminate the Restrictive Covenant; and,

WHEREAS, the City Council and the Owner, agree the Restrictive Covenant should be terminated;

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreements hereinafter set forth, the City of Austin and the Owner agree as follows:

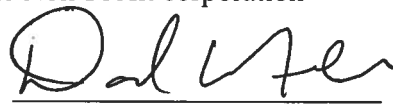
1. The Restrictive Covenant is terminated and each term, condition, and provision will have no effect after the effective date of this Termination of Restrictive Covenant.

2. The City Manager, or his designee, shall execute, on behalf of the City, this Termination of Restrictive Covenant for Zoning Case No. C14-86-015(RCT) as authorized by the City Council of the City of Austin. This Termination of Restrictive Covenant shall be filed in the Official Public Records of Travis County, Texas, which will terminate the document of record in Volume 9712, Page 771, Real Property Records, Travis County, Texas.

EXECUTED this the 9th day of September, 2019.

OWNER:

Westminster Manor, formerly known as
Westminster Health Facilities Corporation,
a Texas Non-Profit corporation

By: 
David Fowler, Chair

CITY OF AUSTIN:

By: _____
J. Rodney Gonzales
Assistant City Manager
City of Austin

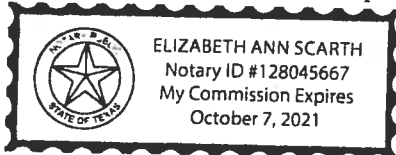
APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on this the 9th day of September, 2019, by David Fowler, Chair of Westminster Manor, formerly known as Westminster Health Facilities Corporation, a Texas Non-Profit Corporation.



Elizabeth Ann Scarth
Notary Public, State of Texas

THE STATE OF TEXAS §

§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the _____ day of _____, 2019, by J. Rodney Gonzales, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

EXHIBIT "A"

C14-86-015

04 07 2330

RESTRICTIVE COVENANT

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

WHEREAS, CONGREGATION AGUDAS ACHIM, County of Travis and State of Texas, is the owner of the following described property, to-wit:

A TRACT OF LAND CONTAINING 0.1999 OF ONE ACRE OF LAND, SAME BEGINNING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO CONGREGATION AGUDAS ACHIM OF RECORD IN VOLUME 1949, PAGE 191, DEED RECORDS OF TRAVIS COUNTY, TEXAS AND A PORTION OF VACATED MUELLER DRIVE OF SAID DRIVE IS VACATED IN VOLUME 4833, PAGE 1141, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.1999 OF ONE ACRE OF LAND SURVEYED BY MCGRAY & MCGRAY LAND SURVEYORS, INC. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8 inch iron rod found at the most southerly point of this tract, same being in the east right-of-way line of Mopac Expressway, same also being an angle point in the west line of Lot, Presbyterian Addition 2, a subdivision of record in Book 75, Page 345, same also being in the centerline of said vacated Mueller Drive;

THENCE, with the west line of this tract, same being the west line of the remaining portion of said Congregation Agudas Achim tract (1949/191), same also being the east line of Mopac Expressway and crossing a portion of said vacated Mueller Drive, N07°45'48"E 221.64 feet to a 1/2 inch iron rod set at the most northerly corner of this tract;

THENCE, crossing said Congregation Agudas Achim tract and a portion of said vacated Mueller Drive with the northeast line of this tract, S59°56'26"E 84.90 feet to a 1 inch iron pipe found at the east corner of this tract, same being a point in the centerline of said vacated Mueller Drive, same also being the north corner of said Lot 1 and the west corner of that certain tract of land described in a deed to Congregation Agudas Achim, of record in Volume 5942, Page 1590, Deed Records of Travis County, Texas, same also being the west corner of Lot 2 of said Presbyterian Addition 2;

THENCE, with the southeast line of this tract, same being the northwest line of said Lot 1, same also being the centerline of said vacated Mueller Drive, S30°17'15"W 205.07 feet to the POINT OF BEGINNING.

WHEREAS, the City of Austin and CONGREGATION AGUDAS ACHIM have agreed that the above described property should be impressed with certain covenants and restrictions running

REAL PROPERTY RECORDS
Travis County, Texas

09712 0771

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767-1088
Attention: C. Curtis, Paralegal